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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5272 OF 2007

Mrs. Manjusha Suhas Lele ... Petitioner

V/s

The State of Maharashtra & ors. ... Respondents

Mr. Narendra V. Bandiwadekar for the petitioner.
Mr. R.M.Patne, A.G.P. for the Respondent No.1 & 2.
Mr. A.A.Garge for Respondent Nos. 3 and 4.
Mr. S.S.Shah for the respondent No.5.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 4TH OCTOBER, 2007.

P.C.:

1. The main grievance in this petition is that the management of the School i.e. respondent Nos. 3 and 4 have wrongly fixed the seniority after the order of the Education Officer dated 29.6.2007. According to the petitioner, there was a dispute between himself and Sudhakar Borse. Borse had filed the representation before the Education Officer under Rule 12 of the M.E.P.S. Rules. After the Education Officer passed an order, the management refixed the seniority. The petitioner is aggrieved by the new seniority list. for the year 2007-2008. Respondent No.5 Ramesh More has been shown above the petitioner in the seniority list. There was no dispute between More and the petitioner at

any point of time before Borse challenged the seniority list in which More was placed below the petitioner. The petitioner contends that today there is a dispute between her and respondent No.5 More in respect of their inter se seniority.

2. As rightly pointed out by the learned advocate for the respondent No.5, this dispute can be resolved by the Education Officer under Rule 12 of the M.E.P.S. Rules.

3. The petitioner, therefore, may approach the Education Officer who will decide the inter se seniority between the petitioner and the respondent No.5 having regard to various judgments of this Court and the Supreme Court, without being influenced by the order dated 29.6.2007. The Education Officer shall complete the enquiry within four weeks from today.

4. Ad-interim relief granted earlier to continue for a period of six weeks from today.

5. Parties to appear before the Education Officer on 15.10.2007 at 11.00 a.m. The Education Officer to complete the enquiry within four weeks thereafter.

6. Writ petition disposed of accordingly.

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